

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ORDER ON DEFENDANT'S MOTION TO STRIKE

The motion to strike is **DENIED WITHOUT PREJUDICE**. I cannot determine on the papers whether the statements in question are protected by the Maine statute, 5 M.R.S.A. § 4612(1)(A). The defendant can seek appropriate relief if the plaintiff seeks to use them as evidence or can renew its motion to strike them from the pleading if it becomes apparent at summary judgment or trial that the statements were confidential when made.

So ORDERED.

DATED THIS 14TH DAY OF JULY, 2016

/S/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE